

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

COMMONWEALTH OF PUERTO RICO and
the PUERTO RICO POLICE DEPARTMENT,

Defendants.

NO. 3:12-cv-2039 (FAB)

INFORMATIVE MOTION IN COMPLIANCE WITH ORDERS (ECF NO. 2183 & 2186)

TO THE HON. FRANCISCO A. BESOSA, SENIOR U.S. DISTRICT JUDGE:

John Romero, in his capacity as Chief Police Monitor, respectfully complies with the Honorable Court's orders (ECF No. 2183 and 2186) and informs as follows:

The Honorable Court required the plaintiff, the Special Master, and the Monitor to submit comments, suggestions, or changes to the provisional use of force plan filed on September 22, 2022. See ECF No. 2177.

The Monitor respectfully informs that the provisional use of force plan already contained his comments, suggestions, and changes. In addition, in his last visit, the Monitor made further observations to PRPB. As of today, the Monitor has been able to clarify with PRPB the following important points:

- PRPB clarified that the Statistical Dashboard was developed by AH Datalytics for use by FIU.
- PRPB was directed by the Court to verify the accuracy of its use of force numbers for the month of June 2022. PRPB did so. PRPB during the court hearing announcing the success of its plan reported that going forward all use of force incidents would be captured via its new Interim Use of Force Plan. PRPB recently informed the Monitor's Office that it would verify the use of force numbers for the first two months of CMR-7 (April/May) pursuant to the provisional use of force plan. The Monitor's Office confirmed that in fact this action had taken place.

- PRPB clarified that CIT is not a specialized unit and therefore, this unit will not be considered in the provisional use of force plan.
- In section II. Implementation Provisional Validation Work Plan, paragraph 11 d, PRPB states the following: When the Command Center Director updates the use of force section in PPR-126.2, the numerical use of force section in PPR-605.1 and PPR-605.3 is automatically updated. According to Captain Figueroa this only applies to the level of force.
- The Monitor and PRPB agree that FIU will have greater responsibilities under this plan and, therefore, additional personnel may be needed to execute the plan.

The Honorable Court further required a response to defendants' "Motion in Compliance with Order" dated September 22, 2022 (ECF No. 2180 and 2186) which informs the status of PRPB's participation in the USDOJ's Equitable Sharing Program. In this motion, the defendants informed "that as of today there is no deliverable owed to MLARS regarding the SIU or PRPB's compliance review process in order to gain access to the Equitable Sharing Program." See ECF No. 2180 at 3 ¶ 7. The Monitor, however, is not privy to the communications exchanged between the defendants and MLARS and, therefore, defers to the parties' submissions on this topic.

WHEREFORE, the Monitor respectfully requests the Honorable Court to take notice of the above for purposes of compliance with the orders at ECF No. 2183 and 2186.

RESPECTFULLY SUBMITTED.

In Guaynabo, Puerto Rico, this 11th day of October 2022.

I HEREBY CERTIFY that on this same date a copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which in turn notifies all counsel of record in the case.

**CORREA-ACEVEDO & ABESADA
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